

Jamaica Selectboard Meeting

November 14, 2016 7:00pm

Minutes

Present-

Selectboard: Paul Fraser (chair), Andy Coyne, Lou Bruso, Judith Flower, Lexa Clark

Public: Barbara Ferguson (Lister), Keith Hazard (Road Foreman), Joel Katz, Pam Tweedy (Recorder)

Paul Fraser called the meeting to order at 7:00pm.

Additions to the Agenda:

Lexa Clark would like to mention that Taylor Brown will take care of the sidewalks again this winter.

Judith Flower would like to add a transfer station update.

Lou Bruso wants to update the Board on the WSWMD budget.

Approve the minutes of the October 24th Selectboard meeting.

MOTION: Andy Coyne moved to approve minutes from the October 24th Selectboard meeting.

Second: Lexa Clark.

Motion passed.

Update on the road crew activities and the hiring of part-time storm plowing help.

Keith Hazard reported the Road Crew is doing one last round of grading before winter, starting in East Jamaica and working up. They've also been cleaning up the yard and transfer station in preparation for winter. Lou Bruso mentioned that the "Intervale" has shown an interest in taking the old garage building when construction begins on the new garage in the spring.

Keith also reported they have found a new 4th person to plow this winter. This person will be responsible for the village, down to the school, and up to the transfer station so the other 3 guys can focus on the rest of the roads.

Consider approval of the corrections to the grand list, and update from the Lister's office.

Barbara Ferguson from the Board of Listers provided an edited errors and omissions sheet with explanations for the changes and the Board went through these with her one by one.

MOTION: Lexa Clark moved to accept the errors and omissions.

Second: Judith Flower.

Motion passed.

The Board then skipped to number 9 on the agenda, which was to acknowledge receipt of a letter of resignation from Lister Peter Andrus. Paul Fraser would like to emphasize that Peter stepped in at a time when the Board of Listers really needed him and they knew he may not be able to stay in the position; so "Thank you Peter!"

There are now 2 open lister positions, which will be posted.

Fire Department Report.

Paul Fraser reported that the Jamaica Volunteer Fire Department has had 128 calls so far this year, which was the total number of calls for the entire previous year. He also emphasized again the importance of having your house numbers visible, not only so the fire dept can find your house, but so anyone who sees a problem or fire can identify the location and report it.

Review for approval the plans for the new town garage.

Lexa Clark and Lou Bruso presented the final plans for the new town garage, which were completed by Cotton Design. The plans can be viewed at the town office during regular hours.

Joel Katz asked when the site visit will be. Lou stated that the RFP has to go out, and then the site visit will be scheduled for all interested contractors.

MOTION: Lou Bruso moved to accept the plans and authorize the publishing of the RFP.

Second: Andy Coyne.

Motion passed

Review contract and discuss participation in the WSWMD Solar Project.

Lou Bruso reported that the town's attorney's office has reviewed the proposed contract for the Solar Project with the WSWMD. They found 2 concerns. First, the contract contains a two way hold harmless, which they think ought to be a one way – the solar company ought to hold the town harmless because we have no responsibilities in the project. Our attorney will ask solar project's attorney about this. Second, in the section about dispute resolution, the contract states that arbitration will be held in NJ, but in another section they state the project is based on VT law, so it wouldn't make sense to have arbitration in NJ. Again, the solar project's attorney will be questioned about this.

Lou also expressed two additional non-contractual issues. First, the net metering rules are changing to make solar projects less attractive, because they don't want to see otherwise productive land (such as farms) turned into solar arrays. Second, is the "Non delegation doctrine", which says that a municipality can't enter a contract that takes away control from the citizens. WSWMD's lawyer says they have concluded that this project is different and that ruling does not apply, but no one has really tested the ruling.

In conclusion – the Board has until 11/28 to decide, but the terms are solid and there is no way to go underwater with this solar project.

Paul Fraser asked for clarification on some of the definitions in the contract, which Lou either provided or said he would follow up the project's attorney about.

Judith asked about new state regulations, and Lou stated that we are grandfathered into Act 99 as long as the Certificate of Public Good is obtained by the end of the year.

Joel Katz asked how the homeowner will benefit. Lou answered that it is strictly a municipal program, but the budget should technically go down for electric.

Andy Coyne asked about the process if the town has excess credits and has to find a 'buyer' for them. Lou explained that we are only getting 80% of our average electric use so we shouldn't ever have extra.

Transfer Station Update.

Judith Flower reported that the Swap Shop is almost ready, and it's been a 'real Jamaica project' – Matt Jenkins built the shelves, Ray Ballantine and Andy & Grace Coyne made the sign, Harry Robinson and Ray Ballantine built the ramp, and even the delivery guy and cottage shop owner are Jamaicans. Thank you all!

WSWMD Budget.

Lou Bruso reported that at the WSWMD Budget meeting, they voted to continue with existing operations with a 20% surcharge to transfer station towns. The vote was 15 in favor and 8 opposed. There will be a public hearing on Dec 6th at 5:00pm at WSWMD and another vote on Dec 8th.

Lou also mentioned that by next July we will need to collect compost at the transfer station, so the town needs to start planning how to manage that collection process.

The Board will have their first budget meeting on Tuesday 11/29 at 6pm.

Lexa Clark moved to adjourn. Second by Lou Bruso. Meeting adjourned at 8:39pm.

Respectfully Submitted,
Pamela Tweedy